

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

v.

RICHARD M. SCRUSHY,

Defendant.

No. CR-03-BE-0530-S

VERDICT
COUNT ONE: CONSPIRACY

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X
NOT GUILTY

as charged in Count One of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt the following **unlawful offense(s) charged as objective(s) of the conspiracy:**
(you must be unanimous on at least one, please indicate the unlawful offense(s) / objective(s) below)

(a) *Mail Fraud:* The Defendant, Richard M. Scrushy conspired with another person to devise a scheme or artifice to defraud or to obtain money or property by means of materially false or fraudulent pretenses, representations or promises, and to execute or attempt to execute the scheme or artifice by placing and causing to be placed in a post office or an authorized depository for mail matter to be sent or to be delivered by the United States Postal Service, or to deposit or cause to be deposited matter to be sent or delivered by a private or commercial interstate carrier, in violation of Title 18, United States Code, Sections 1341, 1346 and 2;

YES

 X
NO

*Submitted 6/28/05 -
jpw*

(b) *Wire Fraud:* The Defendant, Richard M. Scrushy conspired with another person to devise a scheme or artifice to defraud or to obtain money or property by means of materially false or fraudulent pretenses, representations or promises, and to execute the scheme or artifice by transmitting or causing to be transmitted by means of wire communication in interstate or foreign commerce, writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Sections 1343, 1346 and 2;

_____ YES	_____ NO
---------------------	-------------------------------

(c) *Bank Fraud:* The Defendant, Richard M. Scrushy conspired with another person to execute or attempt to execute a scheme or artifice to defraud or to obtain, by means of materially false or fraudulent pretenses, representations or promises, money, funds or credits owned by or under the custody or control of federally insured financial institutions, in violation of Title 18, United States Code, Sections 1344 and 2;

_____ YES	_____ NO
---------------------	-------------------------------

(d) *False Statements:* The Defendant, Richard M. Scrushy conspired with another person to make or cause others to make materially false, fictitious or fraudulent representations in a matter within the jurisdiction of the executive branch of the Government of the United States, in violation of Title 18, United States Code, Sections 1001 and 2;

_____ YES	_____ NO
---------------------	-------------------------------

(e) *False Certification:* The Defendant, Richard M. Scrushy conspired with another person to willfully certify or cause to be certified and filed, statements required to be filed by Title 18, United States Code, Section 1350, with the SEC, knowing that the periodic report accompanying the statements did not comport with all the requirements set forth in that section, in violation of Title 18, United States Code, Sections 1350 and 2;

_____ YES	_____ NO
---------------------	-------------------------------

(f) *Securities Fraud*: The Defendant, Richard M. Scrushy conspired with another person to knowingly execute or attempt to execute a scheme or artifice to defraud in connection with securities of HealthSouth, an issuer with a class of securities registered under Section 12 of the Securities Exchange Act of 1934 or required to file reports under Section 15(d) of said Act, in violation of Title 18, United States Code, Sections 1348 and 2;

YES

 X
NO

(g) *Materially False Filings with the SEC*: The Defendant, Richard M. Scrushy conspired with another person to make or cause others to make untrue, false or misleading statements of material fact in reports or documents required to be filed under the Securities and Exchange Act of 1934 and the rules and regulations thereunder, in violation of Title 15, United States Code, Sections 78m(a) and 78ff and Title 17, Code of Federal Regulations, Section 240.13a-1 and 13a-13; and Title 18, United States Code, Section 2;

YES

 X
NO

(h) *False Books or Records*: The Defendant, Richard M. Scrushy conspired with another person to falsify or cause others to falsify books, records or accounts of HealthSouth in violation of Title 15, United States Code, Sections 78m(b)(2)(A) & (B), 78m(b)(5) and 78ff; Title 17, Code of Federal Regulations, Section 240.13b2-1; and Title 18, United States Code, Section 2;

YES

 X
NO

(i) *False Statements to Outside Auditors*: The Defendant, Richard M. Scrushy conspired with another person to make or cause others to make material false or misleading statements, or omit to state or cause others to omit to state material facts necessary in order to make the statements made, in light of the circumstances under which the statements were made, not misleading, to HealthSouth's outside auditors in connection with the preparation and filing of documents and reports required to be filed with the SEC, in violation of Title 15, United States Code, Sections 78m(b)(2) and 78ff; Title 17, Code of Federal Regulations, Section 240.13b2-2; and Title 18, United States Code, Section 2;

YES

 X
NO

X
NO

(Circle the paragraph numbers for the overt acts on which you are unanimous; the full text of overt acts can be found at pages 12-20 of the Superseding Indictment, at paragraphs 41 through 81)

77 78 79 80 81

Foreperson's Signature

VERDICT
COUNT TWO, SECURITIES FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Two of the Superseding Indictment.

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT THREE, SECURITIES FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X
NOT GUILTY

as charged in Count Three of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy:

(you must be unanimous on at least one of the following, please indicate below)

(i) used or employed a device, scheme or artifice to defraud

YES

 X
NO

(ii) made or caused another to make an untrue statement of a material fact or omit or cause another to omit a material fact which made what was said, under the circumstances, misleading

YES

 X
NO

(iii) engaged in an act, practice or course of business that operates, or would operate, as a fraud or deceit upon a purchaser or seller of securities.

YES

 X
NO

6/29/05
Date

Foreperson's Signature

GUILTY

NOT GUILTY

YES

NO

YES

NO

YES

NO

Date _____

Foreperson's Signature

VERDICT
COUNT FIVE, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

NOT GUILTY

as charged in Count Five of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

NO

Date

Foreperson's Signature

VERDICT
COUNT SIX, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Six of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

X

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

X

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

X

NO

6/28/05

Date

Foreperson's Signature

_____	<u>X</u>
GUILTY	NOT GUILTY

<u> </u>	<u> </u>
YES	NO

<u> </u>	<u> X </u>
YES	NO

YES	NO
_____	_____

10

GUILTY X
NOT GUILTY

_____	_____
YES	NO

YES **NO**

<u> </u>	<u> A </u>
YES	NO

12

VERDICT
COUNT TEN, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Ten of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

 X

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

 X

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

 X

NO

 6/28/05
Date

Foreperson's Signature

VERDICT
COUNT ELEVEN, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X
NOT GUILTY

as charged in Count Eleven of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

 X
NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

 X
NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

 X
NO

6/28/05
Date

Foreperson's Signature

VERDICT
COUNT TWELVE, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

~~_____X_____~~
NOT GUILTY

as charged in Count Twelve of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

~~_____X_____~~
NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

~~_____X_____~~
NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

~~_____X_____~~
NO

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT THIRTEEN, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Thirteen of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

X

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

X

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

X

NO

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT FOURTEEN, WIRE FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X
NOT GUILTY

as charged in Count Fourteen of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

 X
NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

 X
NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

 X
NO

6/28/05
Date

Foreperson's Signature

GUILTY

NOT GUILTY

YES

NO

YES

NO

YES

NO

Foreperson's Signature

VERDICT
COUNT SEVENTEEN, MAIL FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Seventeen of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

 X

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

 X

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

 X

NO

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT NINETEEN, MAIL FRAUD

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Nineteen of the Superseding Indictment.

Specifically, we, the jury, unanimously find beyond a reasonable doubt that the Defendant, Richard M. Scrushy knowingly devised or participated in:
(you must be unanimous on at least one of the following, please indicate below)

(i) a scheme or artifice to defraud stockholders, bondholders, potential stockholders or bondholders, bond underwriters, or HealthSouth

YES

 X

NO

(ii) a scheme or artifice to obtain money or property by means of materially false or fraudulent pretenses, representations or promises

YES

 X

NO

(iii) a scheme or artifice to deprive HealthSouth and others of the intangible right of honest services

YES

 X

NO

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT TWENTY-ONE, MAIL FRAUD

VERDICT
COUNT TWENTY-TWO, MAIL FRAUD

VERDICT
COUNT TWENTY-FIVE, FALSE STATEMENTS

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Twenty-Five of the Superseding Indictment.

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT TWENTY-SIX, FALSE STATEMENTS

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Twenty-Six of the Superseding Indictment.

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT TWENTY-SEVEN, FALSE CERTIFICATION

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

 X

NOT GUILTY

as charged in Count Twenty-Seven of the Superseding Indictment.

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT THIRTY-FOUR, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Thirty-Four of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Wire Fraud, specifically Counts

Four

Five

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT THIRTY-SIX, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Thirty-Six of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Wire Fraud, specifically Counts

Four Five

6/28/05
Date

Foreperson's Signature

VERDICT
COUNT THIRTY-SEVEN, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Thirty-Seven of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Wire Fraud, specifically Counts

Four

Five

Six

Seven

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT THIRTY-NINE, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Thirty-Nine of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Wire Fraud, specifically Counts

Four

Five

Six

Seven

6/28/05

Date

Foreperson's Signature

VERDICT
COUNT FORTY, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Forty of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activity(ies)).

Wire Fraud, specifically Counts

Four

Five

Six

Seven

Eight

6/28/05
Date

Foreperson's Signature

VERDICT
COUNT FORTY-TWO, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Forty-Two of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Wire Fraud, specifically Counts

Four	Five	Six	Seven	Eight	Nine
Ten	Eleven	Twelve	Thirteen		

Mail Fraud

Seventeen	Eighteen	Nineteen	Twenty	Twenty-One
Twenty-Two	Twenty-Three			

6/28/05
Date

Foreperson's Signature

GUILTY

NOT GUILTY

Three

Four	Five	Six	Seven	Eight	Nine
Ten	Eleven	Twelve	Thirteen	Fourteen	Fifteen
Sixteen					

Seventeen Eighteen Nineteen Twenty Twenty-One

Twenty-Two Twenty-Three

Date: _____

Foreperson's Signature

VERDICT
COUNT FORTY-FIVE, MONEY LAUNDERING

We, the jury find the Defendant, Richard M. Scrushy

GUILTY

X

NOT GUILTY

as charged in Count Forty-Five of the Superseding Indictment.

We, the jury, unanimously agree on the specified unlawful activity (or activities) listed below (you must agree on at least one; please circle those Counts that are the specified unlawful activit(ies)).

Securities Fraud, specifically Count

Three

Wire Fraud, specifically Counts

Four	Five	Six	Seven	Eight	Nine
Ten	Eleven	Twelve	Thirteen	Fourteen	Fifteen
Sixteen					

Mail Fraud, specifically Counts

Seventeen	Eighteen	Nineteen	Twenty	Twenty-One
Twenty-Two	Twenty-Three			

6/28/05

Date

Foreperson's Signature